

**REMARKS**

**Summary of the Office Action**

Claim 5 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese Patent Application Publication No. 11-127297 to Tanimoto.

Claims 1-4 and 6-9 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Tanimoto in view of Hidaka et al. (US, 6,782,402).

**Summary of Response to the Office Action**

Claims 1, 2, and 4-9 are amended to further define the invention. Accordingly, claims 1-9 are presently pending for consideration.

**All Claims Define Allowable Subject Matter**

In the Office Action, claim 5 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Japanese Patent Application Publication No. 11-127297 to Tanimoto. And, claims 1-4 and 6-9 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Tanimoto in view of Hidaka et al. (US, 6,782,402). Applicants respectfully traverse the rejection of claims for at least the following reasons.

(i) Independent claim 5:

With respect to independent claim 5, as amended, Applicants respectfully assert that Tanimoto fails to teach or suggest at least the features of “a plurality of attribute information and a plurality of image data of the image information are arranged in a predetermined sequence on a per-page basis in a whole image information based on a result of exchange of the negotiation information.” Applicants respectfully submit that the Office acknowledges on page 5 of the Action that “Tanimoto does not disclose expressly that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis.”

Accordingly, Applicants respectfully assert that Tanimoto does not anticipate at least independent claim 5, as amended. Thus, Applicants respectfully request that the rejection of claim 5 under 35 U.S.C. § 102(b) be withdrawn.

(ii) Independent claims 1, 2, 4, and 6-9:

With respect to independent claims 1, 2, 4, and 6-9, as amended, Applicants respectfully assert that none of cited prior art, whether taken singly or combined, fails to teach or suggest at least the features of checking the header information of the image information to identify whether the image data and the attribute information are arranged in a predetermined sequence on a per-page basis throughout the image information. The Office Action page 6 alleges that “Tanimoto does not disclose expressly that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis.” As a result, the Office relies on Hidaka et al. that “Hidaka et al. discloses that the attribute information and the image data of the image information are arranged in a predetermined sequence on a per-page basis (FIGs. 39-40, col. 12, line 13 to col. 13, line 13).” Applicants respectfully disagree.

In contrast to the Applicants’ claimed invention, Hidaka et al. discloses a multi-page TIFF file format for storing bit map data of X pages (col. 12, line 39 to col. 13, line 13, and FIG. 40). Although, Hidaka et al. teaches the format of TIFF file in FIG. 40, however, the header information of Hidaka et al. does not appear to include the identifying information about whether the image data and corresponding attribute information are stored sequentially on a per-page basis throughout the entire TIFF file. Accordingly, Applicants respectfully assert that Hidaka et al. is completely silent with regard to the above described features, hence features disclosed in independent claims 1, 2, 4, and 6-9, as amended. In addition, Applicants respectfully assert that Hidaka et al. fails to remedy the above noted deficiencies of Tanimoto.

# # # # #

In light of the arguments presented above, Applicants respectfully request that rejection of claim 5 under 35 U.S.C. §102(b) be withdrawn because Tanimoto fails to anticipate at least the features of amended independent claim 5. Furthermore, Applicants respectfully request that the rejection of claims 1-4 and 6-9 under 35 U.S.C. §103(a) be withdrawn because the combination of Tanimoto and Hidaka et al. fail to disclose at least the features of independent claims 1, 2, 4, and 6-9, as amended. In addition, Applicants respectfully submit that dependent claim 3 is allowable at least for the same reasons presented above with respect to independent claim 2 where it depends from and for each individual feature claim 3 recites.

### **CONCLUSION**

In view of the foregoing remarks, Applicants respectfully request reconsideration of this application, withdrawal of all rejections, and the timely allowance of all pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.R.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: November 9, 2006

Customer No. 09629

**MORGAN, LEWIS & BOCKIUS LLP**

1111 Pennsylvania Avenue, N.W.

Washington, D.C. 20004

Telephone: (202) 739-3000

Facsimile: (202) 739-3001

By: 

Sumiyo Onda

Reg. No. L 0289